

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9684-CO10-0913-011

IN THE MATTER OF:)

First Chicago Insurance Co.)
Respondent,)

6640 S Cicero Ave)
Chicago, IL 60638)

License No.: 508269)

FILED

OCT 07 2010

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance ("Department") and First Chicago Insurance Co. ("Respondent") signed an Agreed Entry which purports to resolve all issues involved in the above cause number. The Agreed Entry has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

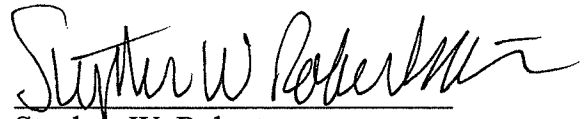
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. The Department alleges that Respondent failed to properly investigate an automobile liability claim before denying liability in violation of Indiana Code § 27-4-1-4.5 (3) and (4).
2. Respondent shall pay an administrative fine of \$2,500.00 within thirty days of the

filing of this Final Order.

ALL OF WHICH IS ORDERED this 7th day of October, 2010.



Stephen W. Robertson,
Executive Director / Acting Commissioner
Indiana Department of Insurance

Distribution:

Michael Kaper
Chief Operating Officer
First Chicago Insurance Company
6640 S Cicero Ave.
Bedford Park, IL 60638

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

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AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance ("Department"), and First Chicago Insurance Company ("Respondent"), a foreign insurer authorized to do business in Indiana, to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Executive Director / Acting Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondent is a foreign insurer with a statutory home office located in the State of Illinois and is authorized to do business in the State of Indiana; and,

WHEREAS, the Department received a complaint from Kiarra Lindsay claiming that Respondent had inappropriately denied her claim resulting from a motor vehicle accident involving her vehicle, a vehicle driven by a man insured by Respondent, and a third party; and,

WHEREAS, at the Department's request, Respondent provided to the Department its complete claim file; and,

WHEREAS, the Department's review of Respondent's claim file revealed that Respondent failed to interview any driver involved in the accident or any other person who had been present at the time of the accident, instead relying exclusively on the police report and initial report of the claim made by their insured's agent before denying liability for the damages to Ms. Lindsay's vehicle; and,


WHEREAS, Respondent's failure to properly investigate the claim is violative of Indiana Code § 27-4-1-4.5 (3) and (4); and,

WHEREAS, the Department and Respondent desire to resolve their differences and settle this issue without the necessity of a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

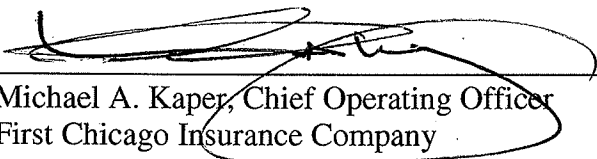
1. The Acting Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent agrees to pay an administrative fine of \$2,500.00 within thirty (30) days of the filing of the Acting Commissioner's Final Order concluding this matter.
6. Respondent has carefully read and examined this agreement and fully understands its terms.
7. The Department agrees to accept Respondent's compliance with the terms of this agreement as full and final resolution of all issues in the above cause number.

9/27/18
Date Signed



Nikolas P. Mann, Deputy Commissioner
Indiana Department of Insurance

9/21/2010
Date Signed

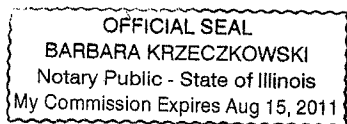


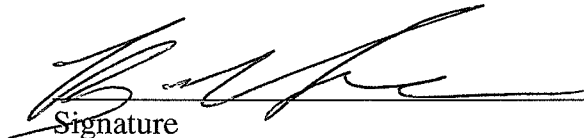
Michael A. Kaper, Chief Operating Officer
First Chicago Insurance Company

STATE OF ILLINOIS)
) SS:
COUNTY OF Cook)

Before me a Notary Public for Cook County, State of Illinois,
personally appeared Michael A. Haper
and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing
instrument are true.

Signed and sealed this 21 day of September, 2010.




Signature

Barbara Krzeczowski
Printed

My Commissioner expires: August 15, 2011

County of Residence: Cook